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KELY WILKINS, Individually and as the Successor  
 In Interest to Decedent WILLIAM ALBERTO  
 WILKINS, WILLIAM ALBERTO WILKINS,  
 Individually, the ESTATE OF WILLIAM WILKINS,  
 WILLIAM RANDOLPH WILKINS, a Minor, by and  
 Through His Guardian Ad Litem, KELY WILKINS,  
 FERNANCO WILKINS, Individually, and  
 JOSEFINA WILKINS, Individually

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 CITY OF OAKLAND, TIM SCARROTT and  
 ANDREW KOPONEN

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

KELY WILKINS, et al.,  
 Plaintiffs  
 v.  
 CITY OF OAKLAND, et al.,  
 Defendants.

No. C 01-1402 MMC

**STIPULATION FOR DISMISSAL AND  
 ENTRY OF JUDGMENT AND ORDER  
 THEREON**

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1 IT IS HEREBY STIPULATED by and between plaintiffs KELY WILKINS, Individually  
2 and as Successor in Interest to Decedent William Albert Wilkins, The ESTATE OF WILLIAM  
3 WILKINS, and WILLIAM RANDOLPH WILKINS, a minor, by his Guardian ad Litem, Kely  
4 Wilkins defendants CITY OF OAKLAND, TIM SCARROTT and ANDREW KOPONEN, through  
5 their undersigned counsel, that the entire action be dismissed with prejudice as to all plaintiffs  
6 pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

7 IT IS FURTHER STIPULATED THAT the court shall direct the clerk to enter judgment  
8 dismissing the entire action with prejudice.

9 IT IS FURTHER STIPULATED THAT each party shall bear its own costs and attorney's  
10 fees.

11 Dated: 8-17-06 2006

LAW OFFICES OF COCHRAN, CHERRY,  
GIVENS, SMITH & STEWART

13  
14 By: 

Brian T. Dann, Esq.

Attorneys for Plaintiffs

16  
17 Dated: 8-18-06 2006

18 ERICKSON BEASLEY HEWITT & WILSON LLP

19  
20 By: 

Todd Boley

Attorneys for Defendants

22  
23 **ORDER**

24 THE PARTIES HAVING STIPULATED THERETO, IT IS HEREBY ORDERED  
25 ADJUDGED AND DECREED THAT:

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STIPULATION FOR DISMISSAL AND ENTRY OF  
JUDGMENT AND ORDER THEREON

1           1.       The entire action be dismissed with prejudice as to all plaintiffs pursuant to Federal  
2 Rule of Civil Procedure 41(a)(1)(ii).

3           2.       The clerk shall enter judgment dismissing the entire action with prejudice.

4           3.       Each party shall bear its own costs and attorney's fees.  
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6 Dated: August 22, 2006

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8 Judge of the District Court

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